

REMARKS

Claims 10 and 23-35 are pending. All of these claims were rejected in the Office Action dated January 15, 2004 on the grounds that the Examiner found only a single terminal disclaimer from joint owner Kionix, Inc. in Applicants' "Response to the Office Action Dated August 5, 2003," which was filed on November 25, 2003.

Applicants' undersigned counsel hereby affirms that the response dated November 25, 2003 included terminal disclaimer documents prepared and filed on behalf of both Kionix and Advion, and hence with respect to 100 percent of the ownership. Copies of both terminal disclaimers are attached hereto, together with a copy of the Certificate of Express Mail and Return Receipt Postcard listing both documents as having been filed. The document prepared and filed on behalf of Advion must have become separated and lost at the Patent and Trademark Office.

The fee for filing of these terminal disclaimers was previously paid, so applicants believe no additional fee is required.

Applicants thank the Examiner for discussing this issue with their counsel on January 22, 2004. In the event any further impediments remain to allowance of this application, they request the Examiner to contact their undersigned counsel.

DATED this 26th day of January, 2004.

Respectfully submitted,



David O. Seeley, Reg. No. 30,148
Customer No. 34013
Holme Roberts & Owen LLP
299 South Main, Suite 1800
Salt Lake City, UT 84111
(801) 521-5800

Serial Number: 09/698,329